

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

BRETON, LLC, *et al.*)
Plaintiffs,)
v.)
GRAPHIC ARTS MUTUAL INSURANCE CO.)
and)
JEFFERSON-PILOT LIFE INSURANCE)
COMPANY)
MERGED WITH THE LINCOLN NATIONAL)
LIFE INSURANCE COMPANY)
Defendants.)

Case No. 1:09cv60

CONSENT MOTION FOR EXTENTION OF TIME

Defendant The Lincoln National Life Insurance Company f/k/a Jefferson-Pilot Life Insurance Company ("Lincoln National"), pursuant to Local Civil Rule 7(F)(2), and with the consent of Plaintiffs Breton LLC, Heman Ward, Inc., and B & H Management, Co. ("Plaintiffs"), moves for a sixty day extension of time to file its response to Plaintiffs' Complaint. The requested extension is necessary for Lincoln National's recently retained counsel to become familiar with this matter and prepare Lincoln National's response. Counsel for Lincoln National has conferred with counsel for Plaintiffs and Plaintiffs have no objection.

For the foregoing reasons, Defendant Lincoln National respectfully requests that the Court grant this Consent Motion, and Order that Lincoln National shall have until April 24, 2009 to file its responsive pleading.

Dated: February 23, 2009

Respectfully submitted,

/s/ Jeffrey L. Tarkenton

Jeffrey L. Tarkenton, Esq. (VSB 20631)
Cathy A. Hinger, Esq. (VSB 46293)
Womble Carlyle Sandridge & Rice, PLLC
1401 Eye Street, N.W., 7th Floor
Washington, DC 20005-2225
Phone: (202) 857-4450
Fax: (202) 261-0050
*Counsel for Defendant, The Lincoln National Life
Insurance Company f/k/a Jefferson-Pilot Life
Insurance Company*

CERTIFICATE OF SERVICE

I certify that on the 23rd day of February, 2009, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following

C. Thomas Brown, Esq. (VSB No. 23743)
Silver & Brown
10621 Jones Street, Suite 101
Fairfax, VA 22030

*Counsel for Plaintiffs Breton LLC,
Heman Ward, Inc. and B&H Management Co.*

Brian J. Gerling (VSB No. 75817)
Lon A. Berk (pro hac vice pending)
Hunton & Williams LLP
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102

*Counsel for Defendant and Counter-plaintiff
Graphic Arts Mutual Insurance Company*

/s/ Jeffrey L. Tarkenton
Jeffrey L. Tarkenton